

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Buffalo

FILE NUMBER:

200301848

REGULATORY PROJECT MANAGER:

Oberst

Date: 3/26/04

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office (Y/N)

Date: 1/8/04

At the project site (Y/N)

Date: 10/9/03

PROJECT LOCATION INFORMATION:

State:

Ohio

County:

Cuyahoga

Center coordinates of site by latitude & longitudinal coordinates:

41.43725, 81.49066

Approximate size of site/property (including uplands & in acres):

27.6 acres

Name of waterway or watershed:

Tinkers Creek - Cuyahoga R. Watershed

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	✓								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			✓		
Is or would be used as habitat by other migratory birds that cross state lines?			✓		
Is or would be used as habitat for endangered species?				✓	
Is used to irrigate crops sold in interstate commerce?				✓	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ___ Or Approved ✓

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
 FILE NUMBER:

Buffalo
2003-02085 2377

REGULATORY PROJECT MANAGER:

Paul Wetzel

Date: 1/28/4

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office (N)
 At the project site (N)

Date: 1/12/4
9/9/03

PROJECT LOCATION INFORMATION:

State:

County:

Center coordinates of site by latitude & longitudinal coordinates:

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

Ohio
Allen
40-44-4.0560
Ohio River 84-9-57.1680

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ✓ Or Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Buffalo
 FILE NUMBER: 2004-00272

REGULATORY PROJECT MANAGER: THORNDIKE Date: 3-29-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 1-15-04
 At the project site Y (Y/N) Date: 12-4-03

PROJECT LOCATION INFORMATION:

State: Ohio
 County: Summit
 Center coordinates of site by latitude & longitudinal coordinates: 41-15-41.0400, 81-33-26.6400
 Approximate size of site/property (including uplands & in acres): approx. 1 mile long, 200' wide
 Name of waterway or watershed: Cuyahoga

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	<input checked="" type="checkbox"/>								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			<input checked="" type="checkbox"/>		
Is or would be used as habitat by other migratory birds that cross state lines?			<input checked="" type="checkbox"/>		
Is or would be used as habitat for endangered species?				<input checked="" type="checkbox"/>	
Is used to irrigate crops sold in interstate commerce?				<input checked="" type="checkbox"/>	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Buffalo
 FILE NUMBER: 2003-00495
 REGULATORY PROJECT MANAGER: Steele Date: 23 May 2003
 PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: 17 February 2004
 At the project site Y (Y/N) Date: 15 May 2003
 PROJECT LOCATION INFORMATION:
 State: Ohio
 County: Portage
 Center coordinates of site by latitude & longitudinal coordinates: 041° 05' 53.3" 081° 00' 47.0"
 Approximate size of site/property (including uplands & in acres): 100 acres
 Name of waterway or watershed: Plum Creek

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		✓							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			✓		
Is or would be used as habitat by other migratory birds that cross state lines?			✓		
Is or would be used as habitat for endangered species?					✓
Is used to irrigate crops sold in interstate commerce?		✓			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved X.

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Buffalo

FILE NUMBER:

200300903

REGULATORY PROJECT MANAGER:

Ruby

Date: 25 MAR 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N)

Date: 27 FEB 2004

PROJECT LOCATION INFORMATION:

At the project site Y (Y/N)

Date: 19 JUL 2003

State:

Ohio

County:

Cuyahoga

Center coordinates of site by latitude & longitudinal coordinates:

41.37369 / 81.94346

Approximate size of site/property (including uplands & in acres):

12.0

Name of waterway or watershed:

04110001 Black/Rocky River

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?	X				
Is or would be used as habitat for endangered species?			X		
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ___ Or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

Buffalo
2002-02384

REGULATORY PROJECT MANAGER:

Schluter

Date: 2 MAR 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office N (Y/N)

Date: 1 MAR 2004

At the project site Y (Y/N)

Date: 12 NOV 2003

PROJECT LOCATION INFORMATION:

State:

Ohio

County:

Geauga

Center coordinates of site by latitude & longitudinal coordinates:

41.46685, 81.26223

Approximate size of site/property (including uplands & in acres):

65 acres

Name of waterway or watershed:

Chagrin River

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		✓							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type) <u>ISOLATED PONDS</u>					✓				

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	✓				
Is or would be used as habitat by other migratory birds that cross state lines?	✓				
Is or would be used as habitat for endangered species?					✓
Is used to irrigate crops sold in interstate commerce?		✓			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved ✓

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

BUFFALO/CRAWELL FIELDS
2003-02085

REGULATORY PROJECT MANAGER:

GRONCESKI

Date: 26 MARCH 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office (Y/N)

Date:

At the project site X (Y/N)

Date: 2 MARCH 2004

PROJECT LOCATION INFORMATION:

State:

County:

Center coordinates of site by latitude & longitudinal coordinates:

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

OHIO
LAKE
41.657 81.19784
95
GORDON CREEK

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	<u>X</u>								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	<u>X</u>								
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			<u>X</u>		
Is or would be used as habitat by other migratory birds that cross state lines?			<u>X</u>		
Is or would be used as habitat for endangered species?					<u>X</u>
Is used to irrigate crops sold in interstate commerce?				<u>X</u>	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

2004 MAR 29 AM 11:46

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Buffalo

FILE NUMBER:

200301845

REGULATORY PROJECT MANAGER:

Ruby

Date: 25 MAR 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office X (Y/N)

Date: 2 MAR 2004

At the project site X (Y/N)

Date: 14 OCT 2003

PROJECT LOCATION INFORMATION:

State:

Ohio

County:

Cuyahoga

Center coordinates of site by latitude & longitudinal coordinates:

41.38354 / 81.87979

Approximate size of site/property (including uplands & in acres):

60.0

Name of waterway or watershed:

Rocky River - 04110001

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow	<u>X</u>								
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				<u>X</u>	
Is or would be used as habitat by other migratory birds that cross state lines?			<u>X</u>		
Is or would be used as habitat for endangered species?		<u>X</u>			
Is used to irrigate crops sold in interstate commerce?		<u>X</u>			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

BUFFALO/ORWELL FIELD OFFICE
2003-02044

REGULATORY PROJECT MANAGER:

GRONCESKI

Date: _____

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N)

Date: 3 MAR 2004

At the project site Y (Y/N)

Date: 15 OCT 2003

PROJECT LOCATION INFORMATION:

State:

County:

Center coordinates of site by latitude & longitudinal coordinates:

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

OHIO
PORTAGE
41.26761 81.35096
80
TINKER'S CREEK

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	<input checked="" type="checkbox"/>								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	<input checked="" type="checkbox"/>								
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			<input checked="" type="checkbox"/>		
Is or would be used as habitat by other migratory birds that cross state lines?			<input checked="" type="checkbox"/>		
Is or would be used as habitat for endangered species?					<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?				<input checked="" type="checkbox"/>	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ☒

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
 RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
 COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
 FILE NUMBER:

BUFFALO/CRAWFORD FIELD OFFICE
2004-00146

REGULATORY PROJECT MANAGER:

GRONCESKI

Date: 26 MARCH 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office ☒ (Y/N)

Date: 13 NOV 2003

At the project site ☒ (Y/N)

PROJECT LOCATION INFORMATION:

State:

County:

Center coordinates of site by latitude & longitudinal coordinates:

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

CH 10
CUYAHOGA
41-31-54 81-26-31
12
CHAGRIN RIVER

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	<input checked="" type="checkbox"/>								
Slough									
Prairie pothole									
Wet meadow	<input checked="" type="checkbox"/>								
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			<input checked="" type="checkbox"/>		
Is or would be used as habitat by other migratory birds that cross state lines?			<input checked="" type="checkbox"/>		
Is or would be used as habitat for endangered species?					<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?					<input checked="" type="checkbox"/>

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ☒

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):